

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**LAWRENCE J. HARDGE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:04CV437LS**

**CHRISTOPHER EPPS, *ET AL.***

**DEFENDANTS**

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**ORDER**

This matter came before the court on a review of the docket of this case, which revealed several motions that were pending. The court has considered those Motions and makes the following rulings:

1. **Motion for Writ for Appearance for Pretrial Conference** - An omnibus hearing has already been held in this matter, and the Omnibus Order entered shortly thereafter stated that no pretrial conference would be held in this case. The court notes, however, that the Plaintiff has recently retained counsel, who was not representing him when the omnibus hearing was held. Therefore, if his attorney believes that a pretrial conference would benefit the parties and the court, he may move for one. It is not necessary for the parties to appear at such a conference, however, and the Plaintiff's Motion will be denied.
2. **Motion to Continue** - The undersigned notes that District Judge Tom S. Lee has recently moved this matter to the August trial calendar, therefore, this Motion is moot.
3. **Motion for Clarification** - By this Motion, the Plaintiff sought information as to whether a recent mental examination conducted at the Central Mississippi

Correctional Facility was performed at the request of the Defendants, for purposes of use in this matter. The Defendants have responded to the Motion by stating that they have not requested such an examination. The Plaintiff having received the clarification that he requested, the Motion will be granted; however, further relief is unnecessary.

4. **Motion to Compel** - The Plaintiff asked for all documents and discovery responses requested. The Defendants have responded by stating that they have produced all of the documents that they have and have also responded to the discovery requests. The Plaintiff has not rebutted that argument; therefore, the Motion will be denied.
5. **Motion to Appear as Counsel for Plaintiff** - The Entry of Appearance submitted by the Plaintiff's attorney was docketed as a Motion, and it will be granted.

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion for Writ for Appearance for Pretrial Conference, and his Motion to Compel are hereby **denied**. The Plaintiff's Motion for Clarification and his Motion for Leave to Appear as Counsel are hereby **granted**. The Motion for Continuance is hereby found to be **moot**.

IT IS SO ORDERED, this the 3<sup>rd</sup> day of April, 2006.

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S/James C. Sumner  
UNITED STATES MAGISTRATE JUDGE